IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 11TH DECEMBER 2007 / 20TH AGRAHAYANA 1929

Crl.Rev.Pet.No. 482 of 2007()

CRA.522/2005 of IV ADDL.SESSIONS COURT, ERNAKULAM
CC.337/2001 of JUDL.MAGISTRATE OF FIRST CLASS-II, KOCHI

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REVN. PETITIONER: APPELLANT/ACCUSED

A.M.SALAM,
MANAGING DIRECTOR, VELIYATH AGRO INDUSTRIES
PVT. LTD., 403, PIONEER TOWERS, KOCHI-31.

BY ADV. SRI.T.O.XAVIER
SRI.K.P.RAMACHANDRAN (THIRUMARADI)
SRI.JIMMY GEORGE (VATTATHARA)

RESPONDENTS: RESPONDENTS/COMPLAINANT & STATE

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1. GEM ENTERPRISES,
DORAISWAMY IYER ROAD, KOCHI-35, REP. BY
ITS MANAGING PARTNER, MRS. TESSY JOSEPH.

2. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY ADV. SRI. K.S. SIVAKUMAR, PUBLIC PROSECUTOR
SRI.V.JOHN SEBASTIAN RALPH

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 11/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON CRL. M.A. NO. 1419/2007 IN CRL.R.P. NO. 482/2007

DISMISSED

11.12.2007 SD/- V. RAMKUMAR, JUDGE.

/True Copy/

P.A to Judge.

V. RAMKUMAR, J.

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Crl.R.P. No. 482 of 2007

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Dated this the 11th day of December, 2007

ORDER

The accused in C.C.No.337 of 2001 on the file of the Judicial First Class Magistrate-II, Kochi for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. 12983 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money if any deposited before the trial court pursuant to the orders of the lower appellate court shall be permitted to be withdrawn by the 1st respondent/complainant.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,JUDGE.

sj